IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION No. 5:09-CR-257-BO

JENNIFER EASEVOLI,)	
Petitioner,)	
v.)	ORDER
UNITED STATES OF AMERICA,)	
Respondent.)	

This matter is before the Court on petitioner's motion for a free copy of the transcript of her sentencing hearing [DE 141]. For the following reasons, the petitioner's motion is DENIED.

The circumstances under which the Court may provide an indigent criminal defendant a copy of his transcript at the court's expense are addressed by 28 U.S.C. § 753(f). Specifically, section 753(f) states that a free transcript shall be provided to an indigent criminal defendant to bring an action pursuant to 28 U.S.C. § 2255 "if the trial judge . . . certifies that the suit . . . is not frivolous and that the transcript is needed to decide the issue presented by the suit. . . . " 28 U.S.C. § 753(f); see also United States v. MacCollom, 426 U.S. 317, 326 (1976). Additionally, an indigent defendant must make a showing of a particularized need to obtain a free transcript. See United States v. Hill, 34 F. App'x 942, 943 (4th Cir. 2002) (unpublished). An indigent defendant may not obtain a free transcript "merely to comb the record in the hope of discovering some flaw." United States v. Glass, 317 F.2d 200, 202 (4th Cir. 1963).

In this case, Mrs. Easevoli's motion for a free transcript does not state any particularized need for the requested transcript. Based upon the foregoing, she does not meet the requirements for a free transcript under § 753(f). The petitioner's motion is DENIED.

SO ORDERED.

This the **10** day of August, 2013.

TERRENCE W. BOYLE

UNITED STATES DISTRICT JUDGE